

National Aeronautics and Space Administration  
Headquarters  
Washington, DC 20546-0001



July 13, 2011

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the SpaceX  
Vandenberg Groundbreaking Ceremony and Reception on July 13, 2011

On July 13, 2011, Space Exploration Technologies Corp. (SpaceX) will host a Ceremony and Reception at the Vandenberg Air Force Base in California, at 12:30 PM.

Approximately 150 people were invited to attend the event, including representatives of NASA, the aerospace industry, Congress and their staff, state and local officials, DOD and personnel from other Federal agencies, and the media. The estimated cost of the reception, including all food and beverages, is \$30.00 per person.

I find that the event meets the requirements of a "widely-attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information regarding various NASA programs.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. However, NASA employees whose duties substantially affect the sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions who are required to sign the ethics pledge under Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of the event for themselves and any accompanying guest. An "honor basket" will be provided by the sponsor to allow reimbursement on-site.

Sometimes sponsors at an event may also provide small gift items. Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion and no more than \$50 from one source in a calendar year. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsor for full value of any gift items exceeding these caps distributed by the sponsors.

Moreover, non-career NASA employees subject to the ethics pledge should reimburse sponsors, which are lobbying organizations for purposes of the ethics pledge, the full value of any such gift items accepted even if these monetary caps are not exceeded.

We understand that SpaceX will be distributing a baseball cap valued at \$8, and a coin valued at \$3. Career NASA employees attending may accept both these gifts so long as they will not have received more than \$50 in gifts from SpaceX during this calendar year. However, non-career employees covered by the ethics pledge may only accept the gift of the coin and should reimburse SpaceX to accept the hat.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone